

No. 1

Ex 1366

doc 2874

「マリアノ・テル、ロザリオ」

ハ検察側ノタメノ證人トシテ召喚セラレ、先ツ正當
ニ宣誓シタル後、訊問セラシ、次ノ如ク證言セリ

直接訊問

問「エガスター」大尉ニ依リ アナタノ名前ヲ言ツテ下さい。

答マリアノ・デル・ロザリオ デス。

問年ハ

三十ハ才

問國籍ハ

アリツビン

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問アナノ職業ハ何デスク。

答私ハ「マニラ」市ノ市設葬儀人デス。

問アナタハ本年二月上旬及七二月中ソノ仕事ヲシテキマシタカ。

答ハシミテヰマシタ。

問アナタハ「タフト」街ノ「カンボス」邸宅トイハレテキル處ニ行ッタ
コトガアリマスカ。

答ハシアリマス。

問アナタハ、何時ソコヘ行キマシタカ。

答ソノ辺ノ戰鬪ガ或ル程度オサマツテカラ、第三十七師團ノ師

團付衛生検査官ノ「ティヴィード、ビンクレイ」少佐ト松、ソノ
附近ノ死体ヲ取り去ルタメ「カンボス」邸宅ヘ行キマシタ。

問アナタハ、ソノ年月日コ思ヒ出スコトが出来マスカ。

答私ハソノ年月日ヲハキリト述ベルコトハデキマセン。

問ソノ月ヲ述ベルコトハ出來マスカ。

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答、二月中 デシタ。

問、アナタハ「カンボス」敷地内ニ何人位、死体ヲ見マシタカ。
答、凡ソ百名デシタ。

問、ソレ等ノ死体、状態ハ? 述ベルコトガデキマスカ。

答、私達ハ「カンボス」屋敷ニ通ズル自動車路ヘ足ヲ踏ミレタ時、コン
クリートノ自動車路ニ轉カッテキル死体、山ラ見マシタ。私達ハ更ニ進
ニテ行ツタ時、「カンボス」屋敷内ノイハバ庭、ヤウナ所ニ、一面ニ死体ヲ見マシタ。

問、ソレ等ノ死体ハ一般人デシタカ。

答、彼等ハ皆通常人、服裝ヲシテ平マシタカラ一般人デシタ。

問、アナタハ死体ノドレカ、傷ヲドンナ傷デモ、見ル機會ガアリマシタカ。

答、ハ、特ニ私達がソノ自動車路デ見付ケマシタ、アノ群トイフカ、山ト

イフカノ中ニ見マシタ。私達ハ特ニ、全ク乳房ヲ切り取ラレタ一名ノ婦人ニ
氣ヅキマシタ。又私達ハ疑ナク銃剣デ陰部ヲ抉取ラレタト覺ニシテ、
ノ婦人ヲ見マシタ。

問、アナタハドレカ他ノ死体、傷モ見マシタカ。

答、ソレハ凡テ銃剣創、拳銃創テシタ。彼等ハ皆機銃掃射ヲ
受ケタノダト、思ヒマス。彼等ハ一人、上ニ又他ノ一人ト言フ工合ニ積ミ重ナツテ
ヤラレテヰマシタ。「ビンクレイ」少佐ト私ニ、彼等ハ丁度ソゴニキタトコロヲ難
ギ倒サレタモノ、如ク思ハレマシタ。

「リール」大尉、「裁判長、コレハ除斥モ宜シイデスク。」
「イルヅ」大將、「ソノ陳述、記録ヨリ取除ク。」
「エヌスター」大尉、「確認ノタメ検察側證々ナ求貞モ續カ」

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機書類有七十事、記載ノタリ、アラフニテ、シテ確
認スルガリ、本証不レア。

答問、答、八一。

何ノ大ガ。

己六、木ノ屋敷、見事、ノ一婦人、寫眞人。地面
六數箇、死体、數、ナリ。

問、八二、陰部、銃創、傷、ナリトナカニ、婦今
死、ナリ。

答、八一。

ナリトナカニ、大財、八、松、記書類有七十事、證據上
之提出来、ナリ。

ナリトナカニ、大財、黒森、ナリ、ノ、證據上、是傳ナシ。
(確認、ノ、檢察側證據書類有七十事、證據上、是
傳ナリ。)

ナリトナカニ、大財、反對証明、ナリ。

反對証明

問、(ナリトナカニ) 大財、口供書類、ノ、記載、ナリ。
是見、人、數、記録、ナリ。

答、看地、ナリ。

ナリ、免、角、ノ、木太、被、地、心、ナリ、此、免、角、ノ、
ナリ。

ナリ、記録、書類、ノ、記録、ナリ。
ナリ、該、ナリ、松、ナリ、ノ、有、事、ナリ。
唯一、記録、ノ、成、ナリ、ノ、記録、書類、ノ、有、事、ナリ。
死体、數、ナリ。

答、三

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問

イヘル。ソガラアナフハ死体取片附ケタメボキヒ師団、
將校ニ雇ヘレクトシタベク思ヒスガハレニ間違ヒリベセ
力。

答

ハシ。

問

ソシテコレハマニラ、金等、死体片附ケタメス。

答

ハシ。ソシテアナタハ若キ一人ヲ雇ヒヘマニラ市内、死体埋葬ニ
携ヘタメス。

答

ソシテアナタハ何日位ニモアービ等、死体ヲ埋葬シバシタカ。
ドノ位一期同。

答

一九四五年六月三日カラ三月三一日迄、糸糸ハ布葬儀人トシテ
マニラ戦死シテ蘇聯尼ロ一般人死体取片附ケテ從事
シマシタ。

答

ソシテ全部大スカリ詰セバ、ドノ位、死体ヲイイタハ埋葬

シマシタカ。

答

凡トハナ個ベカリ、死体デミ。

答

ソシテ日本兵トヘイリツジンレ一般人半々位アシタカ。

答

一般人、方ガ多カツタデス。

答

コレ等、死体ヲ埋葬スル際、軍トヘアントオーレ大キ

施ガ振ラレ、ソニ死体ヲヘタトシフハ本當デスカ。

問

ソシテ幾コト掘コトトガ目、坑ケアコトトイフハ本當アスカ

No 4

答

ハシ。大体三分一ハ多カツタデス。

答

ソシテ死体ヲ埋葬スル際、軍トヘアントオーレ大キ

施ガ振ラレ、ソニ死体ヲヘタトシフハ本當デスカ。

答

ソシテアントオーレ大キナ施ハシシカアリセシ
テニタ。

問

ソシテ幾コト掘コトトガ目、坑ケアコトトイフハ本當アスカ

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- 答：「「属アリテ行マセキ砲火未ト大下彈痕テ。」
問：死体が置カタハ、掘シ坑又ハ彈痕ガタナス否。
答：今サレズ。
- 問：所以下タハ、仕事ニ對于支拂ヒ受カシム取極メア？
答：ナシ也。
- 分：佐、裁判所ニ願シテ若シ被害人側弁護人ノ訊
問：専門的ニヤラトサルヲ、松本亦専門的リテス。
「ナシ」質問全不適切性ナシ且重要性ナシ上ナシ
=異議申立ナシ。
- 「イハ」大尉、「異議認セバ」弁護讀手差入下セ。
- 「イハ」大尉、「質問讀手下セ。
（質問讀手上セ）
- 答：答ヘナスリ。ハアマニ。
- 問：「「大尉依シ」」ナリ死体付于支拂ヒ受カシム事。
「故下ハ少數死体、埋葬シテ下ハ示程多額、金を政府
ヨリ受支譯」ナス。
- 答：埋葬、又ハ死体取扱付ニシ場合ニ前本国陸軍
代表シテ行マシ。ナリ佐、松連、埋葬班依シテ取扱
ナシ死体、今全部自分ノ記録ナリ下セ不答ヘシ上東
シス。
- 「「ナリ佐、」」トウカ和、質問答ヘナサセ
「質問讀手我々」適切答辯得シカドク駆シテ
下セ。
（質問讀手上セ）

No 6

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- 答：和洋の思想とその死体、教義は「支那」に運ばれた。
- 問：(下院) カナダはアラバマ州を下判にて承認した。
- 答：トトロ問題を行なった。アラバマ州は下院にて承認した。
- 答：否。カナダ。
- 問：ソ連は米国政府に対する請求を了承する。
- 答：否。ソ連。
- 問：トトロ全額である。
- 答：十三万八千以上である。木村支那公使が了承。
- (下院) 下院の議決は下院議長の下院議員。
- (下院) 下院の議決は下院議長の下院議員。

(譯人見送)

N° 7

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書類第二八四

證明書

本官即ノ聯合國最高司令官總司令部海務部副指揮官
步兵少佐(T.D.) T.R.C.ヤングハ前左證明主文。

書類第三八四號、三軍事委員會依テ行日本帝國
陸軍大將山下奉文大尉判明少佐以下、元日サ才陳述
證言記録宣誓正字原本事並ニ係取引外總テ證言
記録及證據トシ証言レタ口供書令件記録全部
當部現任係官にて證ス。

步兵少佐(T.D.) T.R.C.ヤングハ署名

證人

ミズタ R. フリードマン署名

一九四六年十一月二日 日本東京於天命面前
於宣誓。

即決裁判所

步兵大尉 ミズタ R. フリードマン

MARIANO DEL ROSARIO

called as a witness on behalf of the Prosecution, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

Q (By Captain Webster) Will you state your name, please?

A Mariano del Rosario.

Q Your age?

A 38 years old.

Q Nationality?

A Filipino.

Q What is your occupation?

A I am the city undertaker for the City of Manila.

Q Were you so acting on the first part of February and during February of this year?

A Yes, sir, I was.

Q Did you have occasion to go to the home known as the Campos home, on Taft Avenue?

A Yes, sir.

Q When did you go there?

A After the fighting was diminished to a certain extent around that area, Major David Binkley, Division Sanitary Inspector, of the 37th Division, and myself went to the Campos residence to remove the dead bodies in that locality.

Q Do you recall the date, sir?

A I could not definitely say the date, sir.

Q Can you give the month?

A It was in February, sir.

Q How many dead bodies did you find within the Campos yard?

A Approximately about a hundred, sir.

Q Can you state the condition of those bodies?

A As we entered the driveway to the Campos residence, we found a stack of dead bodies sprawled on the concrete driveway. As we went farther on, we found in some sort of a garden inside the Campos residence, dead bodies all around the compound, sir.

Q Were those bodies civilians?

A They were all civilians, because they were all dressed in civilian clothes, sir.

Q Can you state how many of them were women and children?

A There were many women and children, and I could not positively exactly say the number, sir, but there were about 100, sir.

Q Did you have occasion to observe the wounds, if any, on any of the dead bodies?

A Yes, sir. More particularly so in that crowd or in that pile that we found on the driveway. We noticed most particularly a lady whose breast had been completely chopped off, and also we found a lady whose genital organs had apparently been ripped off with a bayonet.

Q Did you observe any wounds on the bodies of any of the others?

A They were all bayonet wounds and shots, revolver shots, sir. They were all machine gunned, I presume, the way they were piled one on top of the other. Major Binkley and myself were inclined to believe they were just over there and they were just mowed down.

CAPTAIN REEL: If your Honor please, may that go out?

GENERAL REYNOLDS: That remark will be stricken from the record.

CAPTAIN WEBSTER: I hand you what has been marked for identification as Prosecution Exhibit 77, and ask you if you can identify that.

A Yes, sir.

Q What is it?

A This is a picture of a lady who was found in the Campos residence, and several bodies are sprawled on the ground, sir.

Q Is that the woman whom you referred to as having her genital organs injured with a bayonet?

A Yes, sir.

CAPTAIN WEBSTER: At this time I would like to offer in evidence Exhibit 77, sir.

GENERAL REYNOLDS: There being no objection, it is accepted in evidence.

(Prosecution Exhibit No.
77 for identification
was received in evidence.)

CAPTAIN WEBSTER: You may cross examine.

CROSS EXAMINATION

Q (By Captain Reel) Mr. del Rosario, did you keep records of the number of people that you saw dead at various places?

A Of various places? No, sir.

Q So you have no record, no written record, anywhere, of the number of dead that you saw in the Campos yard?

A Well, if I may say so, sir, the only record that we have in connection with our work was the number of bodies we removed for burial on a certain day.

Q I see. And I think you said you were engaged by officers of the 37th Division to remove dead bodies, is that right?

A Yes, sir.

Q And that covered the whole City of Manila, didn't it?

A Yes, sir.

Q And you did hire some persons and engage in burying dead bodies in the City of Manila, is that right?

A Yes, sir.

Q And over what dates did you bury these bodies? Over what period of time?

A I was engaged as city undertaker to remove enemy troops and civilian dead during the combat of Manila, from the 3rd of February until the 31st of March, 1945, sir.

Q And all in all, all told, how many bodies did you bury?

A Around in the neighborhood of 8000 dead bodies, sir.

Q And that was about evenly divided, was it, between Japanese soldiers and Filipino civilians?

A More so on the civilian side, sir.

Q How many more civilians than soldiers?

A About one-third more, sir.

Q And in the burial of these bodies, isn't it true that large pits were dug with army bulldozers and the bodies put into the pits?

A There were only three big pits that were dug with army bulldozers, sir.

Q And there were some smaller pits that were dug, is that right?

A They were not dug; they were just big shell holes that were produced from shell fire.

Q I see. So that they were either pits that were dug or shell holes into which the bodies were put, is that correct?

A Yes, sir.

Q Now, there was some understanding that you were going to be paid for this work, is that right?

MAJOR KERR: If the Commission please, if counsel for the Defense is going to be technical I, too, can be technical, and I object to this question as being wholly incompetent, irrelevant and immaterial.

GENERAL REYNOLDS: The objection is not sustained. The Defense may proceed.

CAPTAIN REEL: Will you read the question?

(Question read.)

A Shall I answer, sir? Yes, sir.

Q (By Captain Reel) And you were to be paid by the body, so that the more bodies you could show you buried, the more money you would get from the Government, is that right?

A I should like to reply, sir, that before any bodies were removed for burial Major David Binkley, who was representing the United States Army made a personal account of each and every dead body removed by our burial squad, sir.

CAPTAIN REEL: Will you just answer my question, please?

Will you please read the question, and see if we can get an answer that is responsive?

(Question read.)

A I suppose so, sir. I was only paid by the number of dead bodies.

Q (Captain Reel) That is right; you know that is correct. It isn't a question of "supposing"; it is correct, isn't it?

A Yes, sir.

Q And you have made a claim against the United States Government, is that correct?

A Yes, sir.

Q In the amount of how much?

A Over 120,000 pesos, sir, -- which I have not yet been paid, sir.

CAPTAIN REEL: That is all, Mr. del Rosario.

CAPTAIN WEBSTER: That is all. Thank you.

(Witness excused)

CERTIFICATE

I, T. R. C. KING, Major, Inf. (TD) Executive Officer, Legal Section, General Headquarters, Supreme Commander for the Allied Powers, do hereby certify that Document 2876 is a true and correct copy of the transcript of the testimony offered by MARIANO DEL ROSARIO in the trial of the case against Tomoyuki YAMASHITA, General, Imperial Japanese Army, before a Military Commission in Manila; and that the whole record of the case, including the transcript of all testimonies taken, as well as the affidavits admitted in evidence, are now on file with this Section.

T. R. C. King,
Major, Inf. (TD)

Witness: _____

Sworn to before me this 20th day of November, 1946, Tokyo, Japan.